

AN ACT

relating to minimum standards and caregiver training for substitute care providers for children in the conservatorship of the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 42.042, Human Resources Code, is amended by adding Subsections (b-1) and (t) to read as follows:

(b-1) Not later than the earlier of December 31, 2020, or the date the commission conducts the next review required by Subsection (b), the commission shall create and implement a process to simplify, streamline, and provide for greater flexibility in the application of the minimum standards to licensed child-placing agencies, agency foster homes, and adoptive homes with the goal of increasing the number of foster and adoptive homes in this state. This subsection expires September 1, 2021.

(t) The commission by rule shall grant to each child-placing agency and each single source continuum contractor the authority to waive certain minimum standards related to preservice training, annual training, or other requirements that are not directly related to caring for the child for:

(1) the child's foster or prospective adoptive parent;

or

(2) foster homes that have no citations or violations reported to the commission.

1 SECTION 2. Section 42.0537, Human Resources Code, is
2 amended by amending Subsections (a) and (b) and adding Subsections
3 (d), (e), and (f) to read as follows:

4 (a) The department and each single source continuum
5 contractor shall include a provision in each contract with a
6 child-placing agency with whom children in the managing
7 conservatorship of the department are placed that requires the
8 child-placing agency to provide [~~at least 35 hours of~~]
9 competency-based, preservice training to a potential caregiver
10 before the child-placing agency verifies or approves the caregiver
11 as a foster or adoptive home. Except as provided by Subsection (d),
12 the amount of training required by this subsection may not exceed 35
13 hours.

14 (b) The department shall adopt policies to ensure that each
15 potential caregiver receives [~~at least 35 hours of~~]
16 competency-based, preservice training before the department
17 verifies or approves the caregiver as a foster or adoptive home.
18 Except as provided by Subsection (d), the amount of training
19 required by this subsection may not exceed 35 hours.

20 (d) The department and each single source continuum
21 contractor providing foster care placement or case management
22 services may include in each contract with a child-placing agency
23 with whom children in the managing conservatorship of the
24 department are placed provisions that:

25 (1) require the child-placing agency to, before
26 verifying or approving a prospective caregiver as a foster or
27 adoptive home, provide to the prospective caregiver

1 competency-based, preservice training in addition to other
2 training required under this section, based on the needs of the
3 child being placed, including training regarding:

4 (A) the treatment of:

5 (i) children with complex medical needs;

6 (ii) children with emotional disorders;

7 (iii) children with intellectual or
8 developmental disabilities; and

9 (iv) victims of human trafficking; and

10 (B) any other situation the department
11 determines would require additional training; and

12 (2) allow the child-placing agency to provide
13 training, in addition to other training required under this section
14 for a prospective caregiver, that:

15 (A) meets the eligibility standards for federal
16 financial participation under the requirements of the federal
17 Family First Prevention Services Act (Title VII, Div. E, Pub. L.
18 No. 115-123);

19 (B) meets the standards set by a nationally
20 recognized accrediting organization; or

21 (C) meets the standards described by Paragraphs
22 (A) and (B).

23 (e) The department may require training in addition to other
24 training required under this section described by Subsection
25 (d)(2), as appropriate, for certified child-placing agencies
26 operated by the department.

27 (f) A child-placing agency may issue a provisional

1 verification as provided by Section 42.053(e) to a prospective
2 foster caregiver while the caregiver completes the training
3 required under Subsection (d).

4 SECTION 3. The changes in law made by this Act apply only to
5 a contract for foster care services entered into or renewed on or
6 after the effective date of this Act.

7 SECTION 4. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2764 was passed by the House on May 3, 2019, by the following vote: Yeas 132, Nays 10, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2764 on May 24, 2019, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2764 on May 26, 2019, by the following vote: Yeas 142, Nays 1, 2 present, not voting.

Chief Clerk of the House

H.B. No. 2764

I certify that H.B. No. 2764 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2764 on May 26, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor